

# Report slams flaws in DoD sex assault program

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Posted : Saturday Dec 5, 2009 8:22:44 EST

The Pentagon office charged with oversight of military sexual assault prevention and response policy is not doing an effective job — and responsibility should be placed, at least temporarily, directly in the hands of the deputy secretary of defense, a task force has recommended.

The report by the Defense Department's Task Force on Sexual Assault in the Military Services, based on 15 months of work and interviews with more than 3,500 people at 60 locations around the world, said the department's Sexual Assault Prevention and Response Office is not providing policy or oversight for key responsibilities, or interacting with military officials in the field who are accountable on this issue.

Defense officials should revamp the office and provide the expertise necessary to lead and oversee its primary missions of sexual assault prevention, response, training and accountability, the task force said.

Defense Secretary Robert Gates has 90 days to review, comment on and send the congressionally-mandated report to Capitol Hill. The 176-page report was submitted Dec. 1.

"Our recommendations highlight the need for institutional change to more effectively prevent sexual assault and address related issues," task force co-chair Louis Iasiello said in a statement. "Doing so is not only ethically and morally correct, but also essential to military readiness — all the more critical at this time."

The report said the Defense Department has made progress in improving response policies for sexual assault victims, but needs to do much more.

The Sexual Assault Prevention and Response Office now falls under the undersecretary of defense for personnel and readiness. The task force said that placement "has constrained critical aspects" of the program, and recommended it receive higher-level attention to achieve greater progress.

The report recommends giving the deputy secretary of defense direct oversight for at least a year, or "until the Secretary of Defense apprises Congress that the program is meeting established institutional goals."

The task force also recommended establishing a victim's advocate position in the Sexual Assault Prevention and Response Office whose responsibilities and authority would include direct communication with victims.

"Because the SAPRO has limited itself to policy matters, it does not provide individual victim assistance," the report stated.

While the report talks about the need to focus on the problem at the highest levels of the Pentagon, the task force focuses squarely on the impact on victims from the very first lines of its report.

The introduction describes the experiences of Cody Openshaw, a soldier whose military career ended after a parachute accident. For years afterward, he spiraled downward, having trouble in college, trouble holding down a job,

trouble sleeping, drinking too much, divorced after less than a year of marriage, isolating himself from his friends and family. He had never been in combat, but had the classic symptoms of post-traumatic stress disorder.

Finally, he broke down and told his father that a few months after the accident, while awaiting his medical discharge from the Army, he had been sexually assaulted. It took him five years to come forward with the full story.

Included in the task force's 30 primary recommendations are a number of actions for helping victims of sexual assault, such as a suggestion that legislation be enacted requiring the Uniform Code of Military Justice to include a comprehensive provision on privileged communications between victims of sexual assault and victim's advocates.

The task force interviewed service members who reported being re-victimized when their previous statements to medical personnel and victim's advocates were used to cross-examine them in courts-martial.

Confidentiality for victims of sexual assault in the military community has long been a concern. While 35 states mandate privileged communications between victims and advocates, civilian support services may not be available to military victims. Only communications between victims and chaplains or lawyers are privileged, and not all service members are comfortable consulting with chaplains, the task force said.

Among the task force's other major recommendations:

- \* Ensure the SAPRO program is adequately funded. Commanders and their staffs said the program is yet another unfunded mandate that routinely must be supported out of constrained local resources.

- \* Establish uniform sexual assault prevention and response terminology and core structures to ensure consistency among the services. Allowing the services to develop their own terminology and personnel structures for addressing sexual assault "has adversely affected the quality and consistency" of the program.

- \* Duties and responsibilities of Sexual Assault Response Coordinators are governmental and must not be performed by contractor personnel. SARCs should be full-time military or Defense Department civilian personnel, with each installation or similar organizational level having a SARC who is deployable. A SARC should deploy with each unit at the brigade, wing, or equivalent level unless SARC support is available at the deployed location.

- \* The current Unit Victim Advocate program is ineffective and should be replaced with a small cadre of trained and credentialed personnel.

- \* Standard Defense Department protocols should be established for medical care of both male and female victims of sexual assault.

- \* Military separation physicals should include an assessment of sexual trauma, previously disclosed or undisclosed, during active-duty service.

- \* A universal hot line should be established to allow victims to report and be connected with a local SARC in the U.S. or overseas.

- \* Defense officials should separately report the number of sexual assaults involving service member victims and those involving service member offenders "and refrain from combining these numbers."